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Executive Order  
9-3568

18 MAY 1957

Honorable Carl Hayden  
Chairman, Joint Committee on Printing  
United States Senate  
Washington 25, D. C.

Dear Senator Hayden:

Your letter of January 4, 1957, requested that the Joint Committee on Printing be kept advised concerning the transfer of the Government Printing Office - State Service Printing Plant to the Central Intelligence Agency. My letter of January 16, 1957, outlined the steps taken to effect the transfer and indicated the then current status.

My staff and representatives of the Government Printing Office have agreed to a reimbursement of [ ] to the Government Printing Office for supplies and equipment in the plant as of the date of the transfer. A check for this amount was forwarded to the Public Printer on April 29, 1957, in response to his request for reimbursement.

There still remains for settlement the sum of [ ] covering air conditioning equipment. The question of the propriety of reimbursement to the Public Printer is being referred to the Comptroller General.

The above payment for supplies and equipment completes the transfer of the Government Printing Office - State Service Printing Plant to the Central Intelligence Agency. The plant is now fully integrated into and is operating as a part of this Agency.

Hon. Carl Hayden, U.S. Senate, Washington 25, D. C.

We fully appreciate the cooperation and assistance of the staff of the Joint Committee on Printing in effecting this transfer. You are assured that we will continue to consult with your staff on matters pertaining to the operation of this facility.

Sincerely,

SIGNED

Allen W. Dulles  
Director

Originated by:

/s/ See attached sheet  
[redacted] Chief  
Printing Services Division

5/8/57  
Date

Concurrences:

/s/ See attached sheet  
James A. Garrison  
Director of Logistics

May 8 1957  
Date

/s/ See attached sheet  
Edward Saunders  
Comptroller

10 May 1957  
Date

S/  
Lawrence R. Houston  
General Counsel

5/15/57  
Date

Signed  
L. R. White  
Deputy Director (Support)

MAY 16 1957  
Date

OL/PSD [redacted] (6 May 57)  
Rewritten: ADL [redacted] (7 May 57)  
Rewritten: OGC/LRH:mks/[redacted] (15 May 1957)

Distribution:

Orig & 1 - Addressee  
1 - DCI  
1 - DDCI  
1 - ER  
1 - Comptroller  
2 - DD/S w/ [redacted]  
1 - OL/PSD  
1 - OL (Official)  
1 - OGC

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28 February 1957

MEMORANDUM TO: Mr. Houston

SUBJECT: Reimbursement to GPO for Air Conditioning and Ventilating Equipment Located in CIA Administration Building Printing Plant

1. [ ] Chief, Printing Services Division, has drafted and forwarded today to the Director of Logistics a cover memorandum addressed to DD/S and an enclosed letter for the signature of the DCI directed to The Public Printer. These papers propose that CIA reimburse GPO in a stated amount for equipment taken over by us from GPO. The only unresolved issue relates to the legality of payment by CIA of an agreed upon sum covering air conditioning and ventilating equipment.

2. I have signed the foregoing cover memorandum to the DD/S indicating my personal concurrence in the statement in the proposed letter that CIA is prevented by law from reimbursing GPO for this equipment. When these papers reach the DD/S, Mr. Houston will be asked to concur prior to presenting the matter to the Director.

3. My Memorandum for the Record, dated 8 February 1957, discussed this matter as it had progressed to that date. Pertinent data from that memorandum and subsequent information are set forth herein as follows:

a. The proposal by the Director of Central Intelligence Agency in his letter of 19 November 1956, to The Public Printer stated that equipment listed on Annex C "shall be transferred to the Central Intelligence Agency and the Central Intelligence Agency shall reimburse the Government Printing Office." Some [ ] worth of equipment is involved. By letter dated 5 December 1956, to the Director of Central Intelligence, The Public Printer concurred in the proposed transfer. By letter of 15 December 1956, the Director of Central Intelligence requested approval of the Joint Committee on Printing of the Congress and by letter of 4 January 1957, that approval was given "contingent upon the complete observance of all the conditions set forth and agreed to, respectively, in your letter of November 19, 1956, to The Public Printer and his

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SUBJECT: Reimbursement to GPO for Air Conditioning and Ventilating Equipment Located in CIA Administration Building Printing Plant

reply of December 5, 1956." As a result of the foregoing negotiations, the GPO-State Service Printing Plant was transferred to CIA on 13 January 1957.

b. The applicable statute, 56 Stat. 999 as amended (40 USC 317) is set forth in full:

"All electric fans, water-cooling units and air-conditioning equipment procured by a Federal activity, except Government-owned corporations, and which are now, or may hereafter be, installed in Government-owned or leased buildings in the District of Columbia and area adjacent thereto, operated by the Administrator of General Services, shall be and remain in the custody and under the control of said Administrator without exchange of funds and irrespective of the appropriations from which such items were procured or the source from which they were obtained, and existing appropriations or, unless specifically so provided, future appropriations, other than appropriations to the Administrator of General Services, shall not be available for the purchase or installation of the equipment enumerated herein in such buildings, such restrictions shall not apply, however, to ventilating and temperature and humidity control equipment for special laboratory, scientific, and research purposes, the cost of the purchase and installation of which may be borne from the appropriations of the particular Federal agency utilizing such equipment, but such installations shall be subject to approval by the General Services Administration and subsequent to its installation the equipment shall be maintained and operated by the General Services Administration and shall remain under the custody and control of such Administration without exchange of funds."

c. I have been advised by [ ] Space Maintenance Branch, Real Estate and Construction Division, that the Printing Plant in the basement of the Administration Building has been and is operated by the Administrator of General Services. He has advised me also, after making a specific inquiry at GSA, that the air conditioning and ventilating equipment in the Printing Plant have been and are now under the custody of the General Services Administration in the opinion of that organization.

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SUBJECT: Reimbursement to GPO for Air Conditioning and Ventilating  
Equipment Located in CIA Administration Building  
Printing Plant

d. Accordingly, the legal situation appears to be as follows:  
40 USC 317 applies directly and governs the matter. Although this equipment was listed on Annex C of the DCI's letter of 19 November 1956, to The Public Printer as being reimbursable equipment, GPO does not in fact own the property and CIA is specifically forbidden from using appropriations for such a purpose.

e. The GPO argument is reported to be based upon the approval of the Congressional Committee for carrying out the inter-agency transfer as originally presented. In my opinion the action of a committee of the Congress may not be used as the ground for what would appear to be a clear violation of a directive of the entire Congress embodied in a statute.

f. The draft letter from the DCI suggests an amicable settlement along the lines which I originally proposed, namely, that CIA and GPO submit the matter to the General Accounting Office for a decision.

4. In the draft letter prepared for signature by the DCI, reference is made to "40 USCA 317". This is a non-official citation which should be corrected to read "56 Stat. 999 as amended (40 USC 317)". I did not insist on this change since the letter had already been rewritten several times before I saw it, and I anticipate it will be rewritten again before the Director approves it.



Assistant General Counsel

Distribution:

- Orig - Addressee
- 1 - Subject
- 1 - Signer's
- 1 - Chrono (yellow)
- 1 - Chrono (green)

OGC,  (28 Feb 57)

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SECRET

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Reimbursement to GPO for Air Conditioning and Ventilating Equipment

FROM:

Assistant General Counsel

NO.

DATE

28 February 1956

TO: (Officer designation, room number, and building)

DATE

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

REC'D

FWD'D

1. Mr. Houston, OGC  
221 East Bldg.

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*File*

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